

**Town of Framingham Planning Board Meeting
September 28, 2004**

In attendance are Tom Mahoney, Chairman, Ann Welles, Vice Chairman, Sue Bernstein and Andrea Evans-Carr. Also present were Jay Grande, Planning Director and MaryRuth Reynolds, Administrative Assistant.

Meeting was called to order at 7:45 pm

Administrative

I. Approval of minutes

The Board reviewed the minutes for June 1, 2004. *Andrea Carr-Evans moved to approve the minutes with corrections made by herself and Sue Bernstein. Ann Welles seconded the motion. The vote was 5 in favor and 0 opposed.*

The Board reviewed the minutes for April 20, 2004. *Andrea Carr-Evans moved to approve the minutes with corrections made by herself and Sue Bernstein. Ann Welles seconded the motion. The vote was 5 in favor and 0 opposed.*

The Board reviewed the minutes for April 13, 2004. *Carol Spack moved to approve the minutes with minor corrections. Ann Welles seconded the motion. The vote was 5 in favor and 0 opposed.*

The Board reviewed the minutes for September 7, 2004. *Andrea Carr-Evans moved to approve the minutes with minor corrections. Carol Spack seconded the motion. The vote was 5 in favor and 0 opposed.*

The Board reviewed the minutes for August 17, 2004. *Andrea Carr-Evans moved to approve the minutes with minor corrections. Carol Spack seconded the motion. The vote was 5 in favor and 0 opposed.*

II. Continued Public Hearing for Special Permit for Use, Site plan Review Approval and Public Way Access Permit, 222 & 236 Cochituate Road, Eastern Bank

In attendance for applicant: Peter Barbieri, Warren Bowes and Peter Gutting. Peter Barbieri stated that the last time they were before the Board they were asked to look at site changes and provided more detailed architectural drawings, which they have done and would like to present to the board. Peter Gutting gave a brief overview of the Architecture. He touched on the elevations, floor plan and footprint of the Building. He briefly went through the building design touching on the materials to be used. Ann Welles commented that she felt that it was an enormous improvement over the

previous design. Sue Bernstein also felt that it was an improvement but commented that windows needed more detail. Andrea Carr-Evans agreed with the comments of the other Board members but was concerned about the view by the residents that live in the neighborhood. Bruce Ey reviewed the revised site plan. He stated that because that reduced the size of the building they were able to increase the landscaping and reduced the paved area. He noted that the parking spaces have remained that same. He briefly touched on parking, lighting and landscaping noting that they are going to try to maintain the existing trees on site. He noted that they will be constructing a sidewalk that connects to the existing sidewalk and integrates with the sidewalk being constructed by the state and that they will also be eliminating the two curb cuts. The Board would like the applicant to eliminate the Cape Cod berm on the site. The Board and the applicant discussed the landscaping around the area and in the town owned property. Ann Wells wants the south-east parking space designated for employees only and the distance of mulch to the base of trees noted in the decision. Sue Bernstein would like to see a more detailed analysis of the traffic on site and off site, and the peak hour of the queue of the light.

This hearing was continued to Oct 12 at 9:00 pm to discuss traffic.

III. Public Hearing for proposed Groundwater Protection by-law

In attendance Peter Sellers, Al Wells, John Beekman.

Al Wells gave a brief presentation on the history of the Birch Road Wells and the by-law. He stated that the spring town meeting approved the first phase of the reactivation of the Birch Road well site, which was the former water supply for Framingham. He explained that these wells were taken off line in the mid 80's because the MWRA water was more affordable at that time, however the rates have escalated and will continued to do so. Taking into consideration of the escalating rates the town has opted to try and reactivate the wells. They are before the Board tonight in order to get the second phase in place, which is a State required by-law needed to protect the well water.

Peter Sellers gave a brief presentation on the Birch road wells and the by-law. Al Wells reviewed the by-law in terms of what will and will not be permitted. Because this is a zoning by-law this will not affect any thing already existing. He listed some of the uses that would be strictly prohibited: landfills, auto junkyards, the storage of hazardous materials and heating oil, discharge of waste water, stock piling of chemically treated snow and open dumps. He noted again that this would not affect normal residential use of property. The Board discussed the by-law with other committees present at the hearing. Some comments on the wording and edits were discussed.

This Hearing was continued to October 12th at 7:45.

IV. Discussion, Warrant Articles 3 and 4

Steve Kruger co-sponsor of Article 3 gave a brief presentation of this Article. He stated that there are four reasons that this article makes sense. He reviewed these with the Board. Tom O'Neil Chairman of the Standing Committee for

Planning and Zoning stated that his committee voted to support this Article. The Board generally supported this Article. ***Andrea Carr-Evan moved to formally support Article 3 at Town Meeting. Sue Bernstein seconded the motion. The vote was 5 in favor and 0 opposed.***

Article 4 – Thomas Mahoney gave a brief description of this article. Tom O’Neil spoke on this article. The Board did not take position on this Article and will wait until after Town Meeting.

Ann moved to allow the Board to continue after the hour of midnight. Sue Bernstein seconded the motion. The vote was 5 in favor and 0 opposed.

V. 200 Staples Drive, Plan Modification

In attendance Peter Barbieri and Mark Paris. Peter Barbieri gave a brief presentation on the modifications to the site located at 200 Staples Drive. The applicant intended to construct a smaller building than previously requested, however this will not alter the parking spaces. Jay Grande recommended that the Board make a determination as whether this is a minor or major site plan change and then they can go forward with that decision. There was some discussion with the Board on this proposal. The Board determined this to be a minor site plan modification. ***Sue Bernstein moved to consider this a minor site plan modification and accept the change in the footprint a reduction in the building. Ann Wells seconded the motion. The vote was 3 in favor, 0 opposed and 2 abstaining Carol Spack and Andrea Carr-Evans.***

VI. Decision – 6 Beech Street

The Board reviewed the decision for 6 Beech Street.

Carol Spack moved to approve the application for Bridget Erdman for special permit in reduction of parking spaces for 6 Beech Street subject to minor modifications doc 1092 –04. Andrea Carr-Evans seconded the motion. The vote was 5 in favor and 0 opposed.

VII. *Sue Bernstein moved to go into executive session for the purpose of discussion litigation relative to the proposed warrant and to come out for the purpose of adjournment. Roll call vote all attending voted in favor.*

VIII. Meeting adjournment

Andrea Carr-Evans motioned to adjourn. Sue Bernstein seconded the motion. The vote was 5 in favor 0 opposed. The meeting adjourned at 12:30 am

Respectfully submitted

MaryRuth Reynolds
Administrative Assistant

****THESE MINUTES WERE APPROVED WITH AMENDMENTS AT THE
PLANNING BOARD MEETING OF SEPTEMBER 23, 2004**

Thomas Mahoney, Chairman

Meeting adjourned at 12:00 am